

Broward Sheriff's Office
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Pride in Service with Integrity

December 13, 2007

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

RE: WT Docket 02-55, Request for Limited Waiver of Broward County Board
of County Commissioners and School Board of Broward County

Dear Ms. Dortch

Pursuant to Sections 1.3 and 1.925(b)(3) of the Commission's Rules, the Broward County Board of County Commissioners and the School Board of Broward County ("Broward County") respectfully request a limited waiver of Section 90.677 of the Commission's Rules. Specifically, Broward County requests an extension of the deadline date of June 26, 2008, for completion of reconfiguration. Proceeding with reconfiguration exposes the Broward County public safety radio network to harmful interference from TV Channel 69 (WAMI), if the reconfiguration of Broward County's NPSPAC frequencies is implemented before February 17, 2009, or the date by which local analog Channel 69 is vacated (whichever is later). In order to allow time for technicians to retune the system after the shutdown of the Channel 69 transmitter, Broward County requests that the deadline for completion of system reconfiguration be extended until April 1, 2009. Broward County considers the Channel 69 interference to be an unacceptable risk, and believes the public interest would best be served by extending the reconfiguration completion date. Broward County does not request a suspension of planning, negotiations, or any other reconfiguration activities which would result in even greater delays of the reconfiguration.

The Broward County Sheriff's Office ("BSO") operates an 800 MHz trunked radio system which utilizes frequencies licensed to the Broward County Board of County Commissioners (KNJH368, WQAV305) and the School Board of Broward County (WQBC531, WQBC532). As the largest user of the system, BSO has been appointed to act as the lead agency responsible for completing the 800 MHz Rebanding on behalf of the licensees and is the designated contact for Rebanding issues. The above listed have signed below in concurrence of this request.

Broward County has felt the effects of Channel 69 on our 800 MHz radio system since its inception. The 5000 kilowatt ERP transmitter of Channel 69 is located adjacent to the southern border of Broward County and is only 1¼ miles from our closest repeater site. In the beginning, special filtering was installed in the receive antenna paths at all 10 trunked simulcast sites in our system, attempting to keep out the Channel 69 signal. Even with this, receive performance was affected, especially in the southern areas of the County. Since that time, Broward County was able to rearrange frequencies between one or our other systems giving approximately 4 MHz of separation between our lowest receive frequency and Channel 69. With the relocation of NPSPAC channels, our lowest receive channels will once again be adjacent to Channel 69, and even more so than before. Broward County's Rebanding vendor, Motorola, has recommended that this situation will cause harmful interference with our system and does not recommend proceeding until after the Digital TV transition.

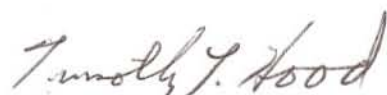
The Broward County Stage II planning process is currently nearing its end with the initial submission of Motorola's cost estimate coming soon. Motorola's reconfiguration schedule will show that, in any case, completion of reconfiguration will not occur until the 2009 time frame. Assuming the Motorola cost estimate is submitted to Sprint-Nextel by January 15, 2008, FRA negotiations are completed within the requirements of the Public Notice FCC 07-168, and allowing at least 3 weeks for contract approval by the Broward County Board of Commissioners, reconfiguration work cannot realistically begin until April, 2008. Motorola specifies that it will then require 8 months to complete the reconfiguration of the 10,900 subscriber units affected by the Broward County Rebanding. The size and complexity of this system necessitates this schedule.

In conclusion, Broward County would ask the Commission to recognize that Broward County was adversely affected by TV Channel 69 when our receive frequencies were previously in proximity to 806 MHz. Only by moving these frequencies away from 806 MHz were we able to minimize this effect. By requiring Broward County to move many of our frequencies back into proximity of Channel 69, we will certainly experience interference again. Speaking on behalf of the 12 police agencies and 13 fire rescue departments who depend on this system for vital 911 dispatch and other operational communications, this is an unacceptable situation. Broward County, therefore, requests that the June 26, 2008 deadline for completion of reconfiguration be extended until April 1, 2009.

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Broward County and Motorola will continue to work diligently to complete the FRA process and have all of the subscriber units reconfigured and ready for infrastructure cutover to the new frequencies by the time the DTV Transition is completed.

Respectfully submitted,



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